

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results:

Alcohol (per cent by volume).....	0.56
Solids by specific gravity (grams per 100 cc).....	30.40
Nonsugars (grams per 100 cc).....	2.64
Ash (grams per 100 cc).....	.056
Soluble alkalinity (cc N/10 acid per 100 cc).....	8.8
Total acids as tartaric (grams per 100 cc).....	1.45
Soluble P ₂ O ₅	None.
Insoluble P ₂ O ₅	Trace.
Benzoic acid (grams per 100 cc).....	.09
Commercial glucose.....	None.
Color removed by fuller's earth (per cent).....	95
Benzaldehyde per liter (grams per 100 cc).....	.31
Hydrocyanic acid.....	None.
Color, coal tar dyes.....	None.
Reducing sugars, direct (grams per 100 cc).....	26.17
Polarization; direct, at 20° C. (°V.).....	+22.0
Polarization, invert, 87° C. (°V.).....	0
Solids by drying at 70° in vacuum (grams per 100 cc).....	30.2
Reducing sugars after inversion, as invert (grams per 100 cc).....	27.78

Adulteration of the product was alleged in the first count of the information for the reasons that a product, to wit, an imitation wild cherry and pepsin tonic, artificially colored and flavored, was mixed and packed therewith so as to reduce or lower or injuriously affect its quality and strength, and that an imitation of wild cherry and pepsin tonic, artificially colored and flavored, had been substituted wholly or in part for the genuine wild cherry and pepsin tonic which the article purported to be. Misbranding was alleged in the second count of the information for the reasons that the statement on the label thereof, "Wild Cherry and Pepsin Tonic" was false and misleading, as it conveyed the impression that the product contained genuine wild cherry, whereas in fact the same was a mixture of imitation wild cherry and pepsin, artificially colored and flavored, and that it was labeled and branded so as to deceive the purchaser into the belief that it contained genuine wild cherry, whereas it was prepared in part from an imitation extract of wild cherry, artificially colored and flavored.

On November 23, 1912, the defendant company entered a plea of guilty to the first count of the information and the court imposed a fine of \$25 and costs. The second count of the information, charging misbranding, was nolle prossed.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 18, 1914.*

2878. Adulteration and misbranding of sugar butter. U. S. v. James E. Carpenter. Plea of guilty. Fine, \$25. (F. & D. No. 4235. I. S. No. 16092-d.)

On December 2, 1913, the United States Attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against James E. Carpenter, Utica, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on September 25, 1911, from the State of New York into the State of Indiana, of a quantity of so-called sugar butter which was adulterated and misbranded. The product was labeled: "One and one-half pounds or more net weight. Superior Brand Creamed Sugar Butter Contains 75% Cane Sugar; 15% Compound Syrup, Maple Flavored; 9½% Fondant, Vegetable Color. Made by Maple Product Co., Utica, N. Y. Guaranteed by Maple Product Co. under the Food and Drugs Act, June 30, 1906, Serial No. 28560 A."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results:

Solids by refractometer (per cent)	88.09
Nonsugar solids (per cent)	6.71
Sucrose, Clerget (per cent).....	73.06
Reducing sugars as invert before inversion (per cent).....	8.32
Commercial glucose (factor 163) (per cent).....	8.59
Polarizations—	
Direct at 25° C. (°V.)	+88.1
Invert at 25° C. (°V.)	— 7.0
Invert at 87° C. (°V.)	+14.0
Ash (per cent).....	.44
Ash, soluble in water (per cent).....	.41
Ash, insoluble in water (per cent).....	.03
Alkalinity soluble ash (cc N/10 acid per 100 grams)	44.0
Lead precipitate (Winton number).....	.61
Preservatives	None.

	Weight.		Shortage.
	Pound.	Ounces.	Per cent.
1st can.....	1	6.15	7.71
2d can.....	1	6.55	6.04
3d can.....	1	5.58	10.08
Average.....	1	6.09	7.94

Adulteration of the product was alleged in the information for the reason that a substance, to wit, a product prepared in part from glucose, had been mixed and packed with the article of food so as to reduce, lower, and injuriously affect its quality and strength, and in that a product prepared in part from glucose had been substituted wholly or in part for the sugar butter prepared from cane sugar, which the article, according to the labels thereon contained, purported to have been. Misbranding was alleged for the reason that the product was labeled as set forth above and thereby said defendant held out and represented to purchasers and consumers thereof that the article was a superior brand of cream sugar butter and was a product prepared from cane sugar without the use of glucose, whereas, in truth and in fact, the same consisted of a mixture prepared in part from glucose; and further that the same and each of the cans weighed $1\frac{1}{2}$ pounds or more net weight, whereas, in truth and in fact, the same and each of them weighed less than $1\frac{1}{2}$ pounds, and by reason of the premises hereinbefore set forth, the product and each can thereof was misbranded, in that the said words thereon contained were false and misleading and calculated to deceive and mislead the purchasers and consumers thereof, in that they conveyed the impression and belief to them that the product was a sugar butter prepared without the use of glucose, whereas, in truth and in fact, said glucose formed a substantial part of the article of food; and further conveyed the impression that the same was $1\frac{1}{2}$ pounds in weight, whereas, in truth and in fact, the same weighed less than that amount.

On December 8, 1913, the defendant entered a plea of guilty to the information and the court imposed a fine of \$25.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 18, 1914.*

2879. Adulteration and misbranding of sweet nubbins pickles. U. S. v. Amazon Vinegar & Pickling Works. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 4236. I. S. No. 17368-d.)

On October 2, 1912, the United States Attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Amazon Vinegar & Pickling